

Article I, Section 7.2 Rule Change Proposal

Proposed change to Article I, Section 7.2 of the Rules and Regulations of the State Bar “Waiver of 2003 Membership Fees and Penalties for Members of the Armed Services”

- A. The secretary shall waive, as provided in this section, the 2003 membership fees and penalties for any member of the State Bar who is also a member of the reserve components of the armed forces ordered to report for active duty as a result of Operation Iraqi Freedom.
- B. Definitions:
 - (1) Active Duty: Full-time service in the active military, other than for training.
 - (2) Reserve Components of the Armed Forces: The Army National Guard, the Army Reserve, the Naval Reserve, the Marine Corps Reserve, the Air National Guard of the United States, the Air Force Reserve, and the Coast Guard Reserve.
 - (3) Operation Iraqi Freedom: That mobilization of the U.S. military troops for duty related to U.S. military activity in the Middle East, on or after February 2003.
- C. The 2003 annual membership fees and penalties shall be waived for those members placed on active duty status for a period of more than 30 days as the result of Operation Iraq Freedom, upon:
 - (1) The filing, by any member, member’s spouse, relative, law partner or associate, or legal representative, of a written request for waiver of the 2003 membership fees and penalties;
 - (2) The submission of a copy of the Order directing the member to report for active duty for a period of more than 30 days; or
 - (3) The submission of a copy of the Order to report for active duty and a certified declaration by a JAG officer that the member has served on active duty for a period of more than 30 days.
- D. Any 2003 annual membership fees/penalties paid prior to the enactment of this rule shall be refunded, upon receipt of a written request from any member, member’s spouse, relative, law partner or associate, or legal representative, received or postmarked by a date certain to be designated by secretary, provided all other eligibility requirements set forth in subparagraph C. above are met.

This section shall remain in effect only until December 31, 2003, and is repealed as of that date, unless otherwise acted upon by the Board of Governors.

